

Appl. No. 10/788,749  
Amdt. Dated: May 5, 2006  
Reply to Office Action of February 14, 2006

## REMARKS

### Amendments to Specification and Abstract

Applicant has amended the title, Paragraphs 0002, 0004, 0008 and 0009, and the Abstract merely to address informalities therein and to consistent with the invention, as claimed. Support for the added evaluation step can be found in Paragraph 0004, as originally filed. Therefore, there is no new matter entered.

### Amendments to Claims

Claims 1 and 12 have been amended to more explicitly and correctly express the present invention. The evaluating step presented in the claims 1 and 12 is found, e.g., in Paragraph 0004, as originally filed. Therefore, there is no new matter entered.

### Claim Objections

Claim 1 is objected to because of the following informalities: "an area of each dot in the unit area is equal" should be "each area of dots in each of the unit area is equal". Appropriate correction is required.

In response to the objection, Applicant has amended claim 1 to overcome the objection and specifically more particularly set forth the area limitation for dots located in a given unit area. Accordingly, Applicant submits that claim 1, as amended, is clear and definite and thus now in allowable form.

Appl. No. 10/788,749  
Amdt. Dated: May 5, 2006  
Reply to Office Action of February 14, 2006

**Claim Rejections Under 35 U.S.C. 101**

Claims 1-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

According to the Examiner, the values or parameters (e.g., area density) haven't been stored, displayed, or used in any tangible manner, merely calculated. Therefore, the Examiner submits that it raises a question as to what the tangible result of the process is.

In response to the rejection of claims 1-12, Applicant has amended claims 1 and 12 and otherwise respectfully traverses the rejection thereof. Accordingly, Applicant submits that claims 1-12 are allowable under 35 U.S.C. 101.

Amended claim 1 recites, in part:

**An evaluating method . . . , comprising the steps of: . . .**

**calculating an area density of the dots; and**

**evaluating the optical characteristics of the output light of the light guide plate based upon the calculated area density of the pattern-dots; . . . . (Emphasis added.)**

Applicant submits that such an evaluating method, as set forth in amended claim 1, can be used for evaluating the optical characteristics of the output light of the light guide plate. The tangible result of the process is

Appl. No. 10/788,749  
Amdt. Dated: May 5, 2006  
Reply to Office Action of February 14, 2006

evaluating the optical characteristics of the output light of the light guide plate based upon the calculated area density of the pattern-dots. Therefore, the amended claim 1 is allowable under 35 U.S.C. 101. Reconsideration and withdrawal of the rejection and allowance of amended claim 1 is respectfully requested.

Claims 2-11 directly depends from independent claim 1 and therefore should also be allowable.

In response to the rejection of claim 12, Applicant submits that claim 12, as amended, recites limitations similar to those of Claim 1. For reasons similar to those asserted above in relation to Claim 1, Applicant submits that claim 12, as amended, should also be allowable.

**Claim Rejections Under 35 U.S.C. 102**

Claims 1, 2, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Love (US 6,757,424).

In response to the rejection of claims 1, 2, and 12, Applicant has amended claims 1 and 12 and otherwise respectfully traverses the rejection thereof. Accordingly, Applicant submits that claims 1, 2, and 12 are allowable over Love.

The Examiner has expressly indicated, at pp. 5-6 of current Office Action, that "the light guide plate has not been given patentable weight because the recitation occurs in the preamble." In light of such comments, Applicant has amended claims 1 and 12 to incorporate the light guide plate

Appl. No. 10/788,749  
Amdt. Dated: May 5, 2006  
Reply to Office Action of February 14, 2006

into the body of such claims. Accordingly, Applicant submits that, consistent with MPEP § 2111.02 and the case law presented therein, the light guide plate must be given full patentable weight in claims 1 and 12, as amended. As now clearly set forth in the body of claim, in addition to the preamble, the dots are particular structural features on the light guide plate.

Amended claim 1 recites, in part:

An evaluating method . . . , comprising the steps of: ...

**accounting** area of the dots in the unit area;

**calculating** an area density of the dots; and

**evaluating the optical characteristics** of the output light of the light guide plate **based upon the calculated area density of the pattern-dots; . . . . (Emphasis added.)**

Applicant submits that such an evaluating method, as set forth in amended claim 1, is neither taught, disclosed, nor suggested by Love or any of the other cited references, taken alone or in combination.

In discussing Love, Examiner contends that "Love discloses a measuring method for . . . a **light guide plate (display panel**, column 8, line 42) . . .". However, Applicant submits that, in Love, the display panel is not equal to the light guide plate. Referring to Paragraph 0002 of the present invention, Applicant has expressed that "the light guide plate is . . . used for guiding the light beams . . . to uniformly illuminate the . . . display panel". This information can also be found in U.S. Patent No. 6,339,458 and so on.

Appl. No. 10/788,749  
Amtd. Dated: May 5, 2006  
Reply to Office Action of February 14, 2006

Love, instead, is directed to a digital image scanner, as set forth, e.g., in Columns 7 and 8 and the Figures. The display (Column 8, line 42) relied upon by the Examiner appears to be a computer monitor, used to show the scan results. Such a monitor clearly is not a light guide plate. Further, Love fails to disclose that such a display panel has dots distributed thereon. As such, Love neither teaches nor suggests that the method thereof could be extended to measure area density of the dots of a pattern distributed on a light guide plate, as required by amended claim 1.

In addition, the Examiner contends that “ ‘600 dpi’ identifies the number of dots per inch, which can be construed as the area density of dots”. However, in Love, the “600 dpi” is a “**rated resolution** for most consumer-level scanners” (column 8, lines 16-17). **The designation “dpi”, while indicating the number of dots per inch, is not a disclosure or suggestion of the particular area occupied by each individual dot.** As such, “dpi” cannot be considered to disclose or suggest **the fraction of area within a given unit area (i.e., an area density)** that is occupied by a group of dots. **At most “dpi” offers a numeric density of dots in a given area, nothing more.**

Also, Love fails to disclose the step of “calculating an area density of the dots”. Even though the “600 dpi” can be construed as a numeric density of dots, Applicant submits that Love does not disclose or suggest that such a rated resolution needs to be calculated. Further, Love fails to disclose or suggest the step of “evaluating the optical characteristics of the output light of the light guide plate based upon the calculated area density of the pattern-dots”. As such, Love fails to disclose or suggest each and every

Appl. No. 10/788,749  
Amdt. Dated: May 5, 2006  
Reply to Office Action of February 14, 2006

element of the evaluating method for dots of a pattern distributed on a light guide plate, as set forth by amended claim 1.

Accordingly, Applicant submits that Love, taken alone or in combination with any of the other cited references, does not anticipate or otherwise render obvious the limitations in amended claim 1 of the present method. Reconsideration and withdrawal of the rejection and allowance of amended claim 1 is respectfully requested.

Claim 2 directly depends from independent claim 1 and therefore should also be allowable.

In response to the rejection of claim 12, Applicant submits that claim 12, as amended, recites limitations similar to those of Claim 1. For reasons similar to those asserted above in relation to Claim 1, Applicant submits that claim 12, as amended, should also be allowable.

**Claim Rejections Under 35 U.S.C. 103**

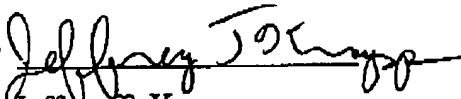
Claims 3-5, 7, 8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Love in view of Rylander (US 5,258,832).

In response to the rejections of claims 3-5, 7, 8, 10, and 11, Applicant respectfully indicates that claims 3-5, 7, 8, 10, and 11 directly or indirectly depend from independent claim 1, which is in condition for allowance for the reasons set forth above. Applicant accordingly submits that claims 3-5, 7, 8, 10, and 11 therefore should also be allowable.

Appl. No. 10/788,749  
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Reply to Office Action of February 14, 2006

In view of the foregoing, the present application as claimed in the pending claims is considered to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,  
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